



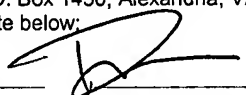
## FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
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April 20, 2004

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:	
April 20, 2004	
Date	David D. Bahler

**MS DD**  
Commissioner for Patents  
P.O. Box 1450,  
Alexandria, VA 22313-1450

RE: *U.S. Patent Application No. 10/775,475 entitled, "RF DIATHERMY AND FARADIC MUSCLE STIMULATION TREATMENT" by James B. Bingham and Richard G. Olsen*  
*Our reference: TWAV:004USD3*

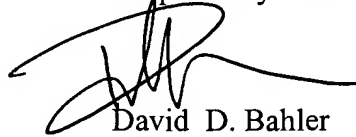
Sir :

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement and Form PTO-1449.

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/TWAV:004USD3.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

  
David D. Bahler  
Reg. No. 30,932

DDB/cas  
Encl.: as noted

25402133.1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James B. Bingham  
Richard G. Olsen

Serial No.: 10/775,475

Filed: February 10, 2004

For: RF DIATHERMY AND FARADIC  
MUSCLE STIMULATION TREATMENT

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: TWAV:004USD3

CERTIFICATE OF MAILING  
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April 20, 2004

Date

David D. Bahler

**INFORMATION DISCLOSURE STATEMENT**

**MS DD**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record.

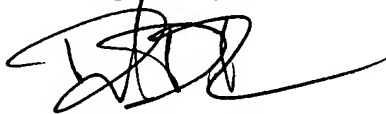
In accordance with 37 C.F.R. §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/TWAV:004USD3.

This application is a continuation application of Serial No. 09/616,769 filed March 24, 1998 and issued as U.S. Patent 6,094,599, and is relied upon for an earlier filing date under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) copies of the listed documents are not enclosed as they have been previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 09/616,769.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



David D. Bahler  
Reg. No. 30,932  
Attorney for Applicants

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Date: April 20, 2004

Form PTO-1449 (modified)

Atty. Docket No.  
TWAV:004USD3Serial No.  
10/775,475

List of Patents and Publications for Applicant's

Applicant

James B. Bingham and Richard G. Olsen

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Filing Date:  
February 10, 2004Group:  
UnknownU.S. Patent Documents  
See Page 1Foreign Patent Documents  
See Page 1Other Art  
See Page 2

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	2,583,853	1-29-52	F. W. Kazdin	128	411	8-8-50
	A2	2,633,846	4-7-53	Wray	607	111	12-18-50
	A3	3,100,240	8-6-63	McKirdy	174	69	7-17-56
	A4	3,299,375	1-17-67	Thompson	333	243	12-5-60
	A5	3,823,253	7-9-74	Walters	174	69	7-10-70
	A6	4,305,115	12-8-81	Armitage	361	437	3-14-79
	A7	4,368,410	2-11-83	Hance et al.	318	116	10-14-80
	A8	4,527,550	7-9-85	Ruggera et al.	600	13	1-28-83
	A9	4,683,349	7-28-87	Takebe	174	69	9-25-85
	A10	4,685,462	8-11-87	Olsen	607	98	8-21-85
	A11	4,769,656	9-6-88	Dickey	343	718	1-28-87
	A12	4,791,915	12-20-88	Barsotti et al.	601	2	7-2-87
	A13	4,873,995	10-17-89	Kikuchi et al.	607	102	11-16-87
	A14	4,975,543	12-4-90	Saunders	174	69	6-30-89
	A15	5,160,828	11-3-92	Olsen	219	211	3-6-90
	A16	5,376,758	12-27-94	Kimber	174	128.1	12-6-93

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

25402123.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)

Form PTO-1449 (modified)

Atty. Docket No.  
TWAV:004USD3Serial No.  
10/775,475

List of Patents and Publications for Applicant's

Applicant  
James B. Bingham and Richard G. Olsen

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Filing Date:  
February 10, 2004Group:  
UnknownU.S. Patent Documents  
*See Page 1*Foreign Patent Documents  
*See Page 1*Other Art  
*See Page 2*

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Olsen et al., "Rewarming of the hypothermic rhesus monkey in electromagnetic radiation," <i>Bioelectromagnetics</i> , 8:183-193, 1987.
	C2	Rabkin et al., "Local heat increases blood flow and oxygen tensions in wounds," <i>Arch. Surg.</i> , 122:221-225, 1987.
	C3	Lehmann, J., M.D., "Therapeutic heat and cold," 4 <sup>th</sup> Edition, 3 pages, 1990.

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